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RECEIVED

June 4, 1993

JUN - 4 1993

Ms. Donna R. Searcy  
Secretary  
Federal Communications Commission  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: MM Docket No. 93-128  
Channel 203C2  
Belton and Williamston, South Carolina

Dear Ms. Searcy:

Enclosed for filing on behalf of Toccoa Falls College are an original and six (6) copies of a 'Petition for Leave to Amend' and related Amendment.

Please contact the undersigned in our Washington, D.C. office.

Respectfully submitted,

MCNAIR & SANFORD, P.A.

By: John W. Hunter  
John W. Hunter

By: Stephen T. Yelverton  
Stephen T. Yelverton

Enclosure

B:SEARCY57.FCC

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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In re Applications of:

TOCCOA FALLS COLLEGE

et al.,

Applications for Construction  
Permit for a Non-commercial  
Educational FM Station,  
Channel 203C2,  
Belton and Williamston,  
South Carolina

MM Docket No. 93-128

File Nos. BPED-920113NL

and

BPED-920811MA

To: Administrative Law Judge  
Richard L. Sippel

PETITION FOR LEAVE TO AMEND

Respectfully submitted,

MCHAIR & SANFORD, P.A.

By: \_\_\_\_\_  
John W. Hunter

By: \_\_\_\_\_  
Stephen T. Yelverton  
Attorneys for Toccoa Falls College  
1155 15th Street, N.W., Suite 400  
Washington, D.C. 20005  
Telephone: (202) 659-3900

June 4, 1993

B:SEARCY57.FCC

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JUN - 4 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

PETITION FOR LEAVE TO AMEND

Toccoa Falls College, by its attorneys, pursuant to Section 73.3522 (b)(2) of the Commission's Rules, hereby submits this "Petition for Leave to Amend" and related amendment. The amendment is required by the Hearing Designation Order, DA 93-474, released May 6, 1993. Therein, at para. 2, Toccoa Falls was directed to file within thirty (30) days an amendment showing the parties to its application. This information is believed to have been included in the application in Item 8, Section II, page 3, when initially filed, but somehow was inadvertently detached.

Toccoa Falls is also the licensee of non-commercial Station WRAF-FM, Toccoa Falls, Georgia; WCOP-AM, Warner Robbins, Georgia; and WFOG-AM, Marietta, Georgia, which have the same officers and trustees for the licensee as does this application for Belton, South Carolina. These same persons are the officers and trustees of Toccoa Falls College. It should be noted that since the filing of this application on January 13, 1992, the office of Treasurer for Toccoa Falls College has changed. The former Treasurer is Frederick R. Hansen. The current Treasurer is W.C. Silvernail. The officers of the college have no voting rights. The Board of Trustees which governs the college has voting rights.

WHEREFORE, in view of the foregoing, Toccoa Falls requests that the Presiding Judge grant this petition for leave to amend and accept the amendment.

Respectfully submitted,

McNAIR & SANFORD, P.A.

By: John W. Hunter  
John W. Hunter

By: Stephen T. Yelverton  
Stephen T. Yelverton  
Attorneys for Toccoa Falls College  
1155 15th St., N.W., Suite 400  
Washington, D.C. 20005  
Tel. 202-659-3900

June 4, 1993

021442.01 TFC.20

NONCOMMERCIAL EDUCATIONAL BROADCAST STATION  
(Carefully read instructions before filing form) Return only form to FCC

For Commission Use Only

File No.

Section I - GENERAL INFORMATION

RECEIVED

1. Name of Applicant  Toccoa Falls College  JUN - 4 1993 FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECRETARY		
Street Address or P.O. Box Highway 17 North		
City Toccoa Falls	State GA	ZIP Code 30598
Telephone No. (Include Area Code) 404-886-6831 Ext. 5277		

Send notices and communications to the following person at the address below:		
Name Robert S. Biermann c/o Toccoa Falls College		
Street Address or P.O. Box Highway 17 North		
City Toccoa Falls	State GA	ZIP Code 30598
Telephone No. (Include Area Code) 404-886-6831 Ext. 5274		

2. This application is for:

☐

AM

☒

FM

☐

TV

(a) Channel No. or Frequency  203 C2
--

(b) Principal Community	City	State
	Belton	S.C.

(c) Check one of the following boxes:

☐

Application for NEW station

☐

MAJOR change in licensed facilities; call sign: \_\_\_\_\_

☐

MINOR change in licensed facilities; call sign: \_\_\_\_\_

☐

MAJOR modification of construction permit; call sign: \_\_\_\_\_

File No. of construction permit: \_\_\_\_\_

☐

MINOR modification of construction permit; call sign: \_\_\_\_\_

File No. of construction permit: \_\_\_\_\_

☒

AMENDMENT to pending application; application file number: \_\_\_\_\_

BPED-920113ML

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

3. Is this application mutually exclusive with a renewal application?

☐

Yes

☒

No

If Yes, state:	Call letters	Community of License	
		City	State

FCC 340  
February 1992

MAY-27-93 THU 12:57 MCNAIR & SANFORD, P.A. P.03

# PARTIES TO APPLICATION

B. Complete the following Table with respect to all parties to this application:

(NOTE: If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement with appropriate justification.)

**INSTRUCTIONS:** If applicant is a corporation or an unincorporated association with 50 or fewer stockholders, stock subscribers, holders of membership certificates or other ownership interests, fill out all columns, giving the information requested as to all officers, directors and members of governing board. In addition, give the information as to all persons or entities who are the beneficial or record owners of or have the right to vote capital stock, membership or ownership interests or are subscribers to such interests. If the applicant has more than 50 stockholders, stock subscribers or holders of membership certificates or other ownership interests, furnish the information as to officers, directors, members of governing board, and all persons or entities who are the beneficial or record owners of or have the right to vote 1% or more of the capital stock, membership or ownership interests. If applicant is a governmental or public educational agency, board or institution, fill out columns (a), (b), and (c) as to all members of the governing board and chief executive officers.

Name and Residence Address(es)  (a)	Office Held  (b)	Director or Member of Governing Board		% of Ownership (O) or Voting Stock (VS) or Membership (M)  (d)
		YES	NO	
		(c)		
<p>See Attached</p> <p>The Administrative Board are non-voting officers of the college.</p> <p>The Board of Trustees are voting members of the board governing the college.</p>			Non-Stock Educational Institution	

**TOCCOA FALLS COLLEGE**  
**Toccoa Falls, GA 30598**

**Administrative Board**

**Dr. Paul Alford, President**  
**P O Box 800777**  
**Toccoa Falls, GA 30598**  
**706-886-6831 ext. 5200 (O)**  
**706-886-7057 (H)**

**Mr. W. Wayne Gardner**  
**Vice President of Institutional Advancement**  
**P.O. Box 800322**  
**Toccoa Falls, GA 30598**  
**706-886-6831 ext. 5205 (O)**  
**706-886-0007 (H)**

**Dr. John W. McCarthy, Secretary**  
**Vice President of Academic Affairs**  
**940 Green Valley Drive**  
**Toccoa, GA 30577**  
**706-886-6831 ext. 5250 (O)**  
**706-886-7337 (H)**

**Mr. Kenneth Sanders**  
**Vice President of Student Affairs**  
**114 Green Forest Drive**  
**Toccoa, GA 30577**  
**706-886-6831 ext. 5320 (O)**  
**706-886-5947 (H)**

**Mr. W. C. Silvernail, Treasurer**  
**Vice President of Business/Finance**  
**106 Beaver Brook Drive**  
**Toccoa, GA 30577**  
**706-886-6831 ext. 5202 (O)**  
**706-886-9783 (H)**

**BOARD OF TRUSTEES**  
**Toccoa Falls College**

Chairman: Wilmer D. Mizell  
Vice Chairman: Samuel G. Ferrell  
Secretary: James H. Knox

**CLASS**

1995 Mr. G. Mitchell Allen	P.O. Box 261, Toccoa, GA 30577	706-886-4938
1995 Mr. Tom Perry Bush	P.O. Box 530631, Birmingham, AL 35253-0631	205-956-7366
1995 *Mr. Paul E. Carpenter	504 Spencer Hill Rd., Corning, NY 14830	607-937-5878
1995 Rev. Gordon G. Copeland	10801 Johnston Rd, Suite 125, Charlotte, NC 28226-4463	704-543-0470
1996 Mr. Jack DeLany	2515 Leeshire Rd., Tucker, GA 30084	404-938-5531
1994 *Dr. Samuel G. Ferrell	2501 Estey Ave., Naples, FL 33942-4301	813-774-0320
1995 Dr. Kenneth O. Gangel	DTS, 3909 Swiss Ave., Dallas, TX 75204	214-841-3676
1995 Dr. L. Edmond Gray	P.O. Box 854, Pensacola, FL 32594	904-438-4027
1996 Mr. Fred R. Hansen	13156 Tall Pine Cir., Ft. Myers, FL 33807	813-481-5726
1994 *Mr. Keith Harrod	5400 Creedmoor Rd., Raleigh, NC 27612	919-828-6260
1996 Mr. Ray L. Kincaid	1870 E. Mansfield St., Bucyrus, OH 44820	419-562-0466
1994 Dr. Dennis F. Kinlaw	404 Akers Dr., Wilmore, KY 40390	606-858-3755
1996 *Mr. James H. Knox	Rt. 1, Box 29, Talbotton, GA 31827	706-665-8506
1994 Mr. Ben LeTourneau	9 Centenary Cir., Longview, TX 75601	903-757-5444
1996 *Dr. R. Harold Mangham	P.O. Box 1030, Canby, OR 97013	503-266-2238
1996 Dr. Eugene O. McGee	138 Fairview Ave., Deer Park, NY 11729	516-667-1437
1995 Mr. Walter O. Meloon	6100 S. Orange Ave., Orlando, FL 32809-5106	407-851-1029
1996 *Mr. Wilmer D. Mizell	307 Yoakum Pkwy., Apt. 517, Alexandria, VA 22304	703-823-8006
1994 Rev. Garfield Powell	8420 Division Ave., Birmingham, AL 35206-2752	205-836-7048
1994 *Judge James Rainwater	11302 Robles Del Rio Pl., Temple Terr., FL 33617	813-985-7802
1994 *Mr. David Scott	P.O. Box 865, Scottdale, GA 30079	404-294-5272
1995 Mr. Richard D. Sessoms	300 Annandale Dr., Cary, NC 27511	919-467-1363
1994 Mr. M. C. Stowe	P.O. Box 125, Eastanollee, GA 30538	706-779-2707
1996 Mr. Doyle Tatum	Camp Mikel Rd., Toccoa, GA 30577	706-886-1248
1995 Mr. T. Roy Thaxton	325 Hoke O'Kelley Mill Rd., Loganville, GA 30249	404-466-2466
1994 Chap. W. Neale Williams	6002 Partingdale Cir., Richmond, VA 23224	804-745-2039

\* Executive Committee

## SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

1. Does the applicant propose to employ five or more full-time employees?

☐ Yes ☐ No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC 398-A).

## SECTION VII - CERTIFICATION

1. Has or will the applicant comply with the public notice requirements of 47 C.F.R. Section 73.3580?

☐ Yes ☐ No

2. The applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. 862, or, in the case of a non-individual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. 1.2002(b).

☐ Yes ☐ No

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

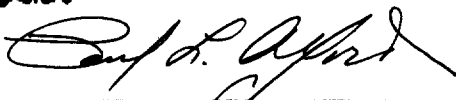
The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

**WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 512(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).**

I certify that the statements in this application are true and correct to the best of my knowledge and belief, and are made in good faith.

Name of Applicant Toccoa Falls College	Title President
Signature 	Date June 1, 1993

### FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The Commission will use the information provided in this form to determine whether grant of this application is in the public interest. In reaching that determination, or for law enforcement purposes, it may be necessary to refer personal information contained in this form to another government agency. In addition, all information provided in this form will be available for public inspection. If information requested on the form is not provided, processing of the application may be delayed or the application may be returned without action pursuant to the Commission's rules. Your response is required to obtain the requested authority.

Public reporting burden for this collection of information is estimated to vary from 78 to 302 hours 20 minutes with an average of 171 hours 36 minutes per response. These estimates include the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, can be sent to the Federal Communications Commission, Information Resources Branch, Room 418, Paperwork Reduction Project, Washington, D.C. 20554, and to the Office of Management and Budget, Paperwork Reduction Project (3090-0034), Washington, D.C. 20503.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3), AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.



**CERTIFICATE OF SERVICE**

I, Stephen T. Yelverton, an attorney in the law firm of McNair & Sanford, P.A., do hereby certify that on this 4th day of June, 1993, I have caused to be hand delivered or mailed, U.S. mail, postage prepaid, a copy of the foregoing "Petition for Leave to Amend" to the following:

The Honorable Richard L. Sippel\*  
Administrative Law Judge  
Federal Communications Commission  
Room 214  
2000 L Street, N.W.  
Washington, D.C. 20554

Y. Paulette Laden, Esquire  
Hearing Branch  
Federal Communications Commission  
Room 7212  
2025 M Street, N.W.  
Washington, D.C. 20554

Joseph E. Dunne, III  
May & Dunne, Chartered  
1000 Thomas Jefferson Place, N.W.  
Suite 520  
Washington, D.C. 20007

Chief, Data Management Staff\*  
Audio Services Division  
Federal Communications Commission  
Room 350  
Washington, D.C. 20554

  
Stephen T. Yelverton

\*Hand Delivery